IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.R.UDAYABHANU

THURSDAY, THE 15TH FEBRUARY 2007 / 26TH MAGHA 1928

Crl.Rev.Pet.No. 689 of 1998

CRA.2/1997 of IST ADDL. SESSIONS COURT, THRISSUR
ST.2719/1995 of JUDL. MAGISTRATE OF FIRST CLASS COURT, CHAVAKKAD

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REVN. PETITIONER:

MUHAMMEDUNNI, S/O.PULICHARAMVEETTIL KADER,
KADAVALLUR DESOM, ELAVALLY AMSOM, CHAVAKKAD TLAUK.

BY ADV. SRI.P.VIJAYA BHANU
SRI.S.R.MANOJ

RESPONDENTS:

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1. KUTTIMON, S/O. PALLIYIL RAMAN,
MARUTHAYOOOR DESOM, PAVARATTY AMSOM,
CHAVAKKAD TLAUK.

2. STATE OF KERALA REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTORMR. AMJAD ALI

THIS CRIMINAL REVISION PETITION HAVING BEEN FINALLY HEARD ON 15-2-2007 , THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

ORDER ON CRL.M.P. NO. 3583 OF 1998 IN CRL.R.P.NO. 689 OF 1998

DISMISSED.

15-2-2007 SD/-K.R.UDAYABHANU,JUDGE

TRUE COPY

P.S.TO JUDGE

K.R. UDAYABHANU, J.

CRL.R.P.NO.689 of 1998

DATED THIS THE 15TH DAY OF FEBRUARY 2007

ORDER

The revision petitioner stands convicted for the offence under Section 138 of the Negotiable Instruments Act and sentenced to undergo simple imprisonment for three months and to pay a compensation of Rs.20,000/- under Section 357(3)Cr.P.C. and in default to undergo simple imprisonment for three months.

2. I find that at the instance of the complainant, Pws.1 to 3 were examined and Exts.P1 to P7 were marked. There is no contra evidence. Statutory presumptions stand unrebutted. I find no reason to interfere in the orders of the courts below.

3. Considering the plea of the counsel for the petitioner, the sentence is modified to imprisonment till the rising of the court and to pay the compensation as ordered by the courts below less the amount already paid, if any, and with the default clause. The revision petitioner/accused shall appear before the Judicial First Class Magistrate, Chavakkad on 24-3-2007 to receive sentence. The Crl.R.P.is disposed of accordingly.

K.R.UDAYABHANU, JUDGE

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ks.